



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

July 15, 2004

Mr. Bharat Mathur, Acting Regional Administrator
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Dear Mr. Mathur:

The Clean Air Act (CAA), Section 181(a)(4) provides the authority for the U.S. Environmental Protection Agency (EPA) Administrator to adjust the classification of an ozone nonattainment area downward if the area's design value is within five percent higher than the level on which the assigned classification is based. The Administrator, at his discretion, may consider the number of exceedances of the standard, the level of interstate and intrastate transport, and the mix of pollutants in the area.

Michigan respectfully requests that the EPA adjust ("bump-down") the classification for the Detroit-Ann Arbor (Southeast Michigan) ozone nonattainment area from moderate to marginal. A marginal classification is more appropriate as it provides greater flexibility in ozone reductions strategy selection, and more importantly, it commits the region to attain the ozone standard quicker. Supporting details are provided in the enclosed technical analysis document.

Granting this classification adjustment request will provide the flexibility necessary to effectively achieve compliance. Additionally, because the attainment deadline for marginal areas is three years earlier than for moderate areas, an adjustment will be beneficial for the environment as well as the economic climate in Southeast Michigan.

The Administrator is permitted discretion in making a determination of the appropriateness of a bump-down. The Michigan Department of Environmental Quality (MDEQ) and the Southeast Michigan Council of Governments (SEMCOG), the lead local planning agency for air quality planning for this area, have jointly prepared this request and ask that the Administrator consider the enclosed analysis in making a determination. Factors analyzed include:

- Improvements in air quality will be on a faster timeline under a bump-down;
- A determination that Southeast Michigan's design value is within the five percent range does not conflict with Section 181(a)(4) of the CAA;
- A marginal classification is appropriate because it reflects typical historical ozone levels through the past thirteen years; and
- Expected emission reductions from regulations already in place are substantial. The MDEQ and the SEMCOG commit to augment these

reductions with the necessary further reductions to accomplish early attainment.

The state's commitment to pursuing earlier attainment is reflected in an accelerated schedule for identifying control measures and securing enabling legal authorities.

The MDEQ and the SEMCOG thank you for your consideration of this request. If you need any further information, please contact Mr. G. Vinson Hellwig, Chief, Air Quality Division, at 517-373-7069, or you may contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Chester", written over a horizontal line.

Steven E. Chester
Director
517-373-7917

Enclosure

cc: Governor Jennifer M. Granholm
U. S. Senator Carl Levin
U. S. Senator Debbie Stabenow
Southeast Michigan Congressional Delegation
Administrator Michael Leavitt, EPA
Mr. Dan Beattie, Governor's Washington Office
Ms. Dana Debel, Governor's Office
Mr. Robert Davis, Governor's Southeast Michigan Office
Mr. Chuck Hersey, SEMCOG
Mr. Jim Sygo, Deputy Director, MDEQ
Ms. Carol Lineau, Legislative Liaison, MDEQ
Mr. G. Vinson Hellwig, MDEQ